

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ARTHUR LENARD AUSTIN,

Petitioner,

v.

JOHN D. SNAZA,

Respondent.

CASE NO. 3:22-cv-05568-BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Honorable David W. Christel's Report and Recommendation ("R&R") recommending the Court dismiss Petitioner Arthur Lenard Austin's habeas petition following his failure to respond to Judge Christel's Order to Show Cause. Dkt. 7. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Petitioner's petition for habeas corpus, Dkt. 1, is **DISMISSED without prejudice**;
- (3) A certificate of appealability is **DENIED**;

1 (4) The Clerk is directed to send copies of this Order to Petitioner, Petitioner's
2 mother,¹ and to the Honorable David W. Christel; and

3 (5) This case is closed.

4 Dated this 10th day of November, 2022.

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7 BENJAMIN H. SETTLE
United States District Judge
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22 ¹ The address for Petitioner's mother can be found at Dkt. 1 at 31.